

Application No.: 10/650410
Docket No.: FA1151USNA

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REMARKS**About the Amendments**

Claim 1 has been amended to limit the claimed process to contacting the coated substrate with an aqueous bismuth composition. Claims 3 and 9 have been amended consistent with the amendment to Claim 1. Claims 4-7 are hereby cancelled without prejudice. Applicants understand that the amendments are offered after Final rejection of the claims, however the amendments could not be offered previously because the art references and rejections were presented for the first time in the present office action. Applicants believe that the amendments would place the claims in form for allowance, and would not require additional search since the claims are further limited to a species within the originally claimed scope.

Traversal

The Examiner has rejected pending claims 1-3 and 8-11 under 35 U.S.C. 102(e) as being anticipated by Martin (US 6,841,199), or in the alternative claims 3 and 9 stand rejected as obvious in view of Martin . Applicants respectfully traverse the rejection.

The amended claims are now limited to use of bismuth in the aqueous metal composition used to contact the coated substrate. Martin does not disclose the use of bismuth. Martin teaches the use of metals in a post dip process, for the purpose of improving corrosion resistance of the coated part. Martin does not teach the use of bismuth. In view of the unanticipated effect of bismuth to improve crosslinking when used to contact coated but uncured panels prior to curing -- as shown in Applicants' examples 4c and 4d, and as described on the last paragraph of page 17 of the specification -- Martin neither anticipates nor makes obvious the claimed invention. Reconsideration of the rejection is respectfully requested.

Claims 1-3 and 8-11 stand rejected as obvious under 35 USC 103(a) as unpatentable over December (US 6,342,144) in view of either Kaylo (US 4,421,620) or Misawa (US 4,870,715).

The references describe a process whereby two curable coating layers are applied, wherein each layer comprises a component that can react with a component in the other layer. The Examiner draws a connection between the second curable coating layer and the aqueous bismuth preparation, however this connection is not accurate -- particularly in view of the amended claims. The aqueous bismuth preparation is not a curable composition, as described in December. The Examiner has used hindsight application of the Applicants' invention in an

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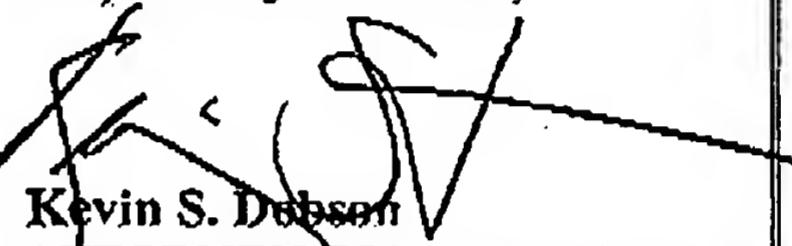
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attempt to create elements of the Applicants' invention in the cited art. While the Applicants contend that this is an impermissible exercise, the argument is moot in view of the amendment to the claims. The Applicants respectfully contend that the claimed invention is not obvious in view of the amendments.

CONCLUSION

In view of the foregoing, Applicants request allowance of all pending claims.

Respectfully submitted,


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Dated: October 25, 2007